

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NOS. 2021-89-E and 2021-90-E ORDER NO. 2021-54-H

APRIL 29, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Duke Energy Carolinas, LLC's 2021 Avoided Cost Proceeding Pursuant to S.C. Code Ann. Section 58-41-20(A)

Duke Energy Progress, LLC's 2021 Avoided Cost Proceeding Pursuant to S.C. Code Ann. Section 58-41-20(A)

MATTER UNDER CONSIDERATION:

Request for Confidential Treatment of a Portion of Exhibit 2 to the Verified Joint Application

CHIEF HEARING OFFICER'S ACTION:

Duke Energy Carolinas, LLC and Duke Energy Progress, LLC request that the portion of Exhibit 2 to the Verified Joint Application containing the Companies' future costs to procure additional energy and/or capacity be declared confidential, due to the two Companies' description of the material as being commercially sensitive and of a proprietary nature, pursuant to S.C. Code Ann. Section 30-4-40(a). According to the two Companies, the wholesale electricity market is extremely competitive, and in order for the Companies to obtain the most cost-effective energy and capacity to meet the needs of their customers, they must protect from public disclosure their projected and actual cost to procure such energy, capacity, or both. In addition, if this information was publicly available, according to the Companies, potential suppliers would know the price against which they must bid, and rather than bidding the lowest price possible, they would simply bid a price low enough to beat the Companies' projections.

I agree with the two Companies. If this material was publicly available, potential suppliers could tailor their bids to be just low enough to beat the Companies' projections. Clearly the material is commercially sensitive and proprietary. Accordingly, I declare such material to be confidential, as it clearly falls under an exception to the Freedom of Information Act. This ends the Chief Hearing Officer's Directive.